

<b>LFC Requester:</b>	<b>Emily Hilla</b>
-----------------------	--------------------

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)  
*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 2/21/2025 *Check all that apply:*  
**Bill Number:** SB254 Original  Correction   
 Amendment  Substitute

**Sponsor:** Michael Padilla & Debra Sarinana **Agency Name and Code** 790 – Department of Public Safety  
**Short Title:** CYBERSECURITY ACT & OFFICE CHANGES **Number:** \_\_\_\_\_  
**Person Writing** Kent Augustine  
**Phone:** 505-709-5264 **Email:** kent.augustine@dps.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: **SB 254s is a substitute to SB 254.**  
 Duplicates/Relates to Appropriation in the General Appropriation Act

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Amends the Cybersecurity Act to expand the scope of the Office of Cybersecurity's responsibility for Information/Technology (IT) infrastructure for all entities connected to a state-operated or state-owned telecommunications network, rather than only networks operated or owned by a state agency. Changes membership of the Cybersecurity Advisory Committee, which has authority for hiring the Security Officer and advising on certain duties of the office.

### **FISCAL IMPLICATIONS**

No fiscal impact to DPS.

### **SIGNIFICANT ISSUES**

Section 2. B. Outlines the membership of the Cybersecurity Advisory Committee.

Similar to the original version of SB 254, the substitute of SB 254 does not include a representative of law enforcement on the committee. Including an employee of DPS on the committee is vital to ensure that statewide cybersecurity policies are consistent with the CJIS Security Policy that all law enforcement adheres to. Including an employee of DPS also ensures that the Office of Cybersecurity understands the perspectives of law enforcement.

The FBI designated Criminal Justice Information Services (CJIS) Information Security Officer (ISO) for the State of New Mexico is an employee of DPS. The CJIS ISO has specific cybersecurity duties, responsibilities, and powers granted by the FBI through the CJIS Security Policy. All state, local, tribal, and federal criminal justice agencies are governed by the CJIS Security Policy. The FBI designates one agency in each state and territory as the CJIS Systems Agency (CSA). The New Mexico CSA is DPS. Each CSA must have a CJIS Systems Officer (CSO) and a CJIS ISO.

The committee, and the State would significantly benefit by having the CJIS ISO as a permanent member on the committee for the following reasons:

1. As outlined in the bill, there is no representation on the committee of law enforcement. The CJIS ISO oversees the unique aspects of cybersecurity across all law enforcement agencies operating in New Mexico.
2. The CJIS ISO undergoes significant training by the FBI on cybersecurity best practices, and policies. The CJIS ISO must attend the biannual CJIS ISO Symposium along with all other CJIS ISOs where they meet with the FBI's CJIS division leadership, attend training, share ideas, and build relationships. These trainings and relationships provide the CJIS ISO with unique perspectives and added resources not provided to anyone else in New Mexico.
3. The CJIS ISO has established network and communication channels to communicate with every criminal justice agency operating in New Mexico. These channels are designed to get messaging out to all New Mexico criminal agencies within minutes. These channels can be a significant point of leverage when the Cybersecurity Office needs to communicate to counties and municipalities during cybersecurity incidents.
4. The CJIS ISO along with the CSO have the authority to set mandatory policies that all criminal justice

agencies must follow. These policies can be tailored to each state. The CJIS ISO and CSO have the authority to audit any criminal justice agency. The CJIS ISO and CSO have the authority to sanction criminal justice agencies for not adhering to the CJIS Security Policy. This authority, granted by the FBI through the CJIS Security Policy, are unique and would provide the committee and the New Mexico Chief Information Security Officer a means to enforce policies on agencies that otherwise are not under the jurisdiction of the Cybersecurity Office.

#### **PERFORMANCE IMPLICATIONS**

No performance implications to DPS.

#### **ADMINISTRATIVE IMPLICATIONS**

No administrative implications to DPS.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

No conflict, duplication, companionship or relationship to DPS.

#### **TECHNICAL ISSUES**

No technical issues to DPS.

#### **OTHER SUBSTANTIVE ISSUES**

No other substantive issues to DPS.

#### **ALTERNATIVES**

Not applicable as no impact to DPS.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo will remain.

#### **AMENDMENTS**

None at this time.